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In re Application of	:	DECISION ON
AUBERBACH et al.	:	
Serial No.: 10/593,553	:	
PCT No.: PCT/IL05/00357	:	PETITION UNDER
Int. Filing Date: 30 March 2005	:	
Priority Date: 30 March 2004	:	
Attorney's Docket No.: 207,840	:	37 CFR 1.10(c)
For: MONITORABLE LOCKING ASSEMBLIES	:	

This decision is in response to applicant's "PETITION UNDER 37 CFR 1.10(c) TO CORRECT FILING DATE", filed 05 December 2006, to accord a filing date of 18 September 2006 to the above-identified application papers. No petition fee is required.

BACKGROUND

On 30 March 2005, applicant filed international application No. PCT/IL05/00357, which claimed a priority date of 30 March 2004 and which designated the United States. The deadline for payment of the basic national fee was to expire 30 months from the priority date, or on 30 September 2006.

On 18 September 2006, applicant filed a transmittal letter for entry into the national stage in the United States accompanied by, *inter alia*, the basic national fee. These papers were accorded a filing date of 19 September 2006.

On 05 December 2006, applicant filed the present petition, which included a copy of the Customer Receipt of the "Express Mail" mailing label #ER059676290US.

DISCUSSION

A review of the application file reveals that Applicant filed a transmittal letter for entry into the national stage. A review of the USPTO finance records for this application indicates that the basic national fee was paid.

Applicant requests that the national stage papers be accorded a filing date of 18 September 2006. A review of the Express Mail label #ER059676290US reveals that it was addressed to the "Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450". The Customer Copy of the Express Mail label bears a USPS barrel stamp of "SEP 18 2006". In support of the petition, applicant also submitted a letter from a USPS postal supervisor concerning the processing and date-stamping of Express Mailings.

This is sufficient evidence to establish with reasonable certainty that the national stage papers were deposited with the United States Postal Service as an "Express Mail" Mailing on 18 September 2006. Specifically, the Express Mail label #ER059676290US is the same number that appears on the Transmittal Letter. The indication of the "Express Mail" label number appearing on the Transmittal Letter ties the "Express Mail" label and the Transmittal Letter together such that it is clear that the national stage papers were deposited on 18 September 2006.

CONCLUSION

Applicant's petition requesting that the national stage papers be accorded a receipt date of 18 September 2006 is **GRANTED**.

The application is being returned to the DO/EO/US for processing in accordance with this decision.



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